

4-6-06 IAP7 Rec'd PCT/PTO 05 APR 2006

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 7-2005)		ATTORNEY'S DOCKET NUMBER 19721
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/575049</b>
INTERNATIONAL APPLICATION NO. C PCT/AU2004/001359	INTERNATIONAL FILING DATE 6 October 2004 (06.10.2004)	PRIORITY DATE CLAIMED 6 October 2003 (06.10.2003)
TITLE OF INVENTION <b>THERAPEUTIC METHOD</b>		
APPLICANT(S) FOR DO/EO/US <b>David Morritz De Kretser, David James Phillips, Kristian Lee Jones, Robyn O'Hehir, Shane Patella, Kathryn Moira Wilson and Kimberley Louise Sebire</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ul style="list-style-type: none"><li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li><li>4. <input type="checkbox"/> The US has been elected (Article 31).</li><li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))<ul style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li></ul></li><li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<ul style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto.</li><li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li></ul></li><li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))<ul style="list-style-type: none"><li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li></ul></li><li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li><li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li><li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li><li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li><li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li></ul>		
Items 13 to 23 below concern document(s) or information included:		
<ul style="list-style-type: none"><li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li><li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li><li>15. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li><li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li><li>17. <input type="checkbox"/> A substitute specification.</li><li>18. <input type="checkbox"/> A power of attorney and/or change of address letter.</li><li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 --1.825.</li><li>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li><li>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li><li>22. <input checked="" type="checkbox"/> Express Mail Label No. <b>EV 861632665US</b></li></ul>		

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO. <b>PCT/AU2004/001359</b>	ATTORNEY'S DOCKET NUMBER <b>19721</b>
<p>23. Other items or information:</p> <p><b>*Continuation of Priority Date Claimed: 16 April 2004 (16.04.2004)</b>  <b>Courtesy Colpy of International Application 24 August 2004 (24.08.2004)</b>  <b>Twenty-Four (24) Sheets of Drawings ; Three (3) Sheets of Sequence Listing</b>  <b>Assignee: Monash University of Clayton, Victoria, Australia</b></p>		
The following fees have been submitted:		<b>CALCULATIONS      PTO USE ONLY</b>
24. <input checked="" type="checkbox"/> Basic national fee ..... <b>\$300</b>		\$ <b>\$300.00</b>
25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . . <b>\$0</b> All other situations. .... <b>\$200</b>		\$ <b>\$200.00</b>
26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . . <b>\$0</b> Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority. .... <b>\$100</b> International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB. .... <b>\$400</b> All other situations. .... <b>\$500</b>		\$ <b>\$400.00</b>
<b>TOTAL OF 24, 25 and 26 =</b>		\$ <b>\$900.00</b>
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is <b>\$250</b> for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)
123 - 100 =	23 /50 =	1
		x \$250.00
Surcharge of <b>\$130.00</b> for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		\$ <b>\$130.00</b>
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	69 - 20 =	49
		x \$50.00
Independent claims	3 - 3 =	0
		x \$200.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input checked="" type="checkbox"/> + \$360.00		\$ <b>\$360.00</b>
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$ <b>\$4,090.00</b>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		\$ <b>\$0.00</b>
<b>SUBTOTAL =</b>		\$ <b>\$4,090.00</b>
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		\$ <b>\$0.00</b>
<b>TOTAL NATIONAL FEE =</b>		\$ <b>\$4,090.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		\$ <b>\$0.00</b>
<b>TOTAL FEES ENCLOSED =</b>		\$ <b>\$4,090.00</b>
		Amount to be refunded: \$
		Amount to be charged: \$

10/575049

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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- APPROPRIATE PTO US APR 2006**
- a. ☒ A check in the amount of \$ \$4,090.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-1013/SSMP. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Frank S. DiGiglio  
SCULLY, SCOTT, MURPHY & PRESSER, P.C.  
400 Garden City Plaza - Suite 300  
Garden City, NY 11530

SIGNATURE

Leopold Presser

NAME

19,827

REGISTRATION NUMBER

April 5, 2006

DATE

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b> Applicant(s): <b>David Morritz De Kretser et al.</b>			Docket No. <b>19721</b>	
Application No. <b>10/575049</b> Unassigned	Filing Date Herewith	Examiner Unassigned	Customer No. <b>23389</b>	Group Art Unit Unassigned
Invention: <b>THERAPEUTIC METHOD</b>				
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p><b>New U.S. Patent Application Under 35 U.S.C. 371</b></p> </div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>April 5, 2006</u></p> <p style="text-align: center;"><i>(Date)</i></p> <div style="text-align: right; margin-top: 20px;"> <p><b>Leopold Presser</b></p> <p><i>(Typed or Printed Name of Person Mailing Correspondence)</i></p> <hr style="width: 30%; margin: 5px auto;"/> <p><i>(Signature of Person Mailing Correspondence)</i></p> <hr style="width: 30%; margin: 5px auto;"/> <p><b>EV 861632665US</b></p> <p><i>("Express Mail" Mailing Label Number)</i></p> </div>				
<p><b>Note: Each paper must have its own certificate of mailing.</b></p>				